

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

CHIEF HEARING OFFICER DIRECTIVE

DOCKET NO. 2020-275-S ORDER NO. 2020-124-H

DECEMBER 4, 2020

CHIEF HEARING OFFICER: David Butler

DOCKET DESCRIPTION:

Application of Condor Environmental, Incorporated Requesting an Expansion of Its Existing Sewer Service Area to Include Certain Portions of Anderson County and Saluda County and Approval of Agreement

MATTER UNDER CONSIDERATION:

Response Date of ORS to Condor's Application and Motion in Commission Order No. 2020-792

CHIEF HEARING OFFICER'S ACTION:

Commission Order No. 2020-792 requests that ORS "provide the results of its discovery and/or review of Condor and its Application and Motion to the Commission within ten (10) days from this Directive, or if not ready or available, for the ORS to provide a status report." This Directive Order was issued on December 2, 2020. Ten days from the Directive Order date is December 12, 2020, which is a Saturday. S.C. Code Reg. 103-831 states that the Commission's computation of time is governed by Rule 6 of the South Carolina Rules of Civil Procedure. SCRCP 6 (a) states, in part, the following: "In computing any period of time prescribed or allowed by these rules, by order of court, or by any applicable statute, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a State or Federal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor such holiday." Accordingly, the ten (10) response period required by Order No. 2020-792 actually ends on Monday, December 14, 2020, the date requested for response by ORS anyway. Accordingly, I hold that Order No. 2020-792 actually allows ORS to provide to the Commission either the results of its discovery and/or review of Condor and its Application and Motion by December 14, 2020, or if these materials are not ready, to provide a status report by December 14, 2020. This ends the Chief Hearing Officer's Directive.